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11 JOHN ESPINOZA, an individual,) CASE NO. 07 CV 2218 LAB (RBB)
12 Plaintiff,)
13 v.)
14)
15 CITY OF IMPERIAL, a public entity; MIGUEL)
16 COLON, an individual; IRA GROSSMAN, an)
17 individual; and DOES 1-50, inclusive,)
18 Defendants.)
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**DEFENDANT IRA GROSSMAN'S
NOTICE OF MOTION AND MOTION
TO DISMISS PLAINTIFF'S
COMPLAINT**

**Date: June 2, 2008
Time: 11:15 a.m.
Judge: Hon. Larry A. Burns
Ctrm: 9**

[ORAL ARGUMENT REQUESTED]

18 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

19 PLEASE TAKE NOTICE that on June 2, 2008, at 11:15 a.m., or soon thereafter this matter may
20 be heard by the Honorable Larry A. Burns, in Courtroom 9, United States District Courthouse, 940 Front
21 Street, San Diego, California. Defendant Ira Grossman will and does hereby move, pursuant to Rule
22 12(b)(6), of the Federal Rules of Civil Procedure to dismiss Plaintiff's Complaint on the following
23 grounds:

24 1. Each and every of Plaintiff's claims as against Ira Grossman are barred by the application
25 of statutory privileges codified at California Civil Code 47(b), and 47(c); and
26 2. Plaintiff's claims for invasion of privacy and intentional infliction of emotional distress
27 do not state facts sufficient to state a claim against Ira Grossman.

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1 This Motion will be based on this Notice, the attached Memorandum of Points and Authorities,
2 Ira Grossman's Request to Take Judicial Notice, all of the pleadings, papers, and records on file herein,
3 and upon such argument and further evidence may be presented to the Court at the hearing on this
4 Motion.

5 Dated: April 7, 2008

WHITE, OLIVER & AMUNDSON

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By: s:/Susan L. Oliver

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Susan L. Oliver

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Attorneys for Defendant Ira Grossman

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